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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,058	10/10/2001	Toshio Sakurai	35.C15866	5036
5514	7590	07/29/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			MILIA, MARK R	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/973,058	SAKURAI, TOSHIO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mark R. Milia	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 10 October 2001 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Drawings***

1. Figure 7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 5, 6, and 10, it is unclear from the claim language what type of information is being transmitted and how it is being changed. Also, it is unclear as to

what is meant by determining if the information is matched with a protocol. The claimed limitations and subject matter is not consistent with that of the drawings as provided by the applicant.

Regarding claims 3 and 8, it is unclear from the claim language as to what the claim is accomplishing. Particularly, the part of the limitation that states that the same information does not continue is vague and indefinite.

The Examiner has interpreted claims 1-10 relative to the knowledge available in the art and from the figures provided in the application. The Examiner understands the applicant's invention to be a noise filter that detects change in input information relative to a predetermined time and when the change is associated with data that is considered to be noise that the data is skipped and therefore only the information that was meant to be received is actually received.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5961616 to Wakasugi et al.

Regarding claims 1 and 6, Wakasugi discloses an interface apparatus and information processing method for inputting information from an external apparatus, comprising: a first circuit for, when the inputted information is information which was changed within a predetermined time, invalidating said information (see Figs. 10-12 and column 11 lines 17-47) and a second circuit for, when the inputted information is not matched with a protocol, skipping said information (see column 12 lines 14-27 and column 12 line 42-column 13 line 4).

Regarding claims 2 and 7, Wakasugi discloses the system discussed in claims 1 and 6, and further discloses a data change detector for outputting a reset in the case where there is a change in said inputted information (see Fig. 10 (10) and column 3 line 65-column 4 line 10), a timer for outputting a trigger after the elapse of a predetermined time after said reset was inputted (see Fig. 12 and column 12 lines 14-65), and a data latch for inputting said trigger and fetching the information (see Fig. 10, column 9 lines 40-63, and column 10 line 61-column 11 line 16).

Regarding claim 4, Wakasugi discloses the system discussed in claim 1, and further discloses wherein the information which is inputted from said external apparatus is inputted to said first circuit and the information fetched by said first circuit is inputted to said second circuit (see Fig. 10 and column 11 line 17-column 12 line 65).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakasugi in view of U.S. Patent No. 6570666 to Sotokawa.

Wakasugi discloses a first circuit for, when the inputted information is information which was changed within a predetermined time, invalidating said information (see Figs. 10-12 and column 11 lines 17-47) and a second circuit for, when the inputted information is not matched with a protocol, skipping said information (see column 12 lines 14-27 and column 12 line 42-column 13 line 4).

Wakasugi does not disclose expressly a printer fetched by said engine for printing the information first circuit, that is, the information which was determined by said second circuit that it is matched with the protocol.

Sotokawa discloses a printer fetched by said engine for printing the information first circuit, that is, the information which was determined by said second circuit that it is matched with the protocol (see Figs. 4 and 5, column 6 lines 29-36 and 58-62, column 8 lines 22-27, and column 10 line 55-column 11 line 2).

Wakasugi & Sotokawa are combinable because they are from the same field of endeavor, detection and processing of changes in transmitted information.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the printer as an external device as described by Sotokawa with the system of Wakasugi.

The suggestion/motivation for doing so would have been to allow the desired information to be printed, as it is well known in the art to provide a printer as an external device to output data information.

Therefore, it would have been obvious to combine Sotokawa with Wakasugi to obtain the invention as specified in claims 5 and 10.

Claims 3 and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Wakasugi as applied to claims 1 and 6 above, and further in view of Sotokawa.

Wakasugi does not disclose expressly wherein said external apparatus forms the information such that same information does not continue.

Sotokawa discloses wherein said external apparatus forms the information such that same information does not continue (see Figs. 4 and 5; column 6 lines 29-36 and 58-62, column 8 lines 22-27, and column 10 line 55-column 11 line 2).

Wakasugi & Sotokawa are combinable because they are from the same field of endeavor, detection and processing of changes in transmitted information.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the printer as an external device as described by Sotokawa with the system of Wakasugi.

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The suggestion/motivation for doing so would have been to allow the desired information to be printed, as it is well known in the art to provide a printer as an external device to output data information.

Therefore, it would have been obvious to combine Sotokawa with Wakasugi to obtain the invention as specified in claims 3 and 8.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wakasugi as applied to claim 6 above, and further in view of U.S. Patent No. 6175603 to Chapman et al.

Wakasugi discloses the use of logic and logic filters in the execution of the invention (see column 11 line 17-column 12 line 65).

Wakasugi does not disclose expressly wherein said first step is executed by a glitch noise filter.

Chapman discloses the use of glitch noise filters to filter data information (see column 1 lines 36-59 and column 7 lines 44-53).

Wakasugi & Chapman are combinable because they are from the same field of endeavor, detection and processing of changes in transmitted information.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the use of a glitch noise filter as described by Chapman with the system of Wakasugi.

The suggestion/motivation for doing so would have been to accurately filter noise signals from incoming information.

Therefore, it would have been obvious to combine Chapman with Wakasugi to obtain the invention as specified in claim 9.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show the state of the art refer to U.S. Patent numbers 4587620 (Niimi et al.), 6453272 (Slechta), and 5570110 (Shiga et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia  
  
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MRM